

# SL(5)241 – The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2018

## Background and Purpose

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These Regulations amend the student higher education financial support regulations listed below in order to remedy defects in existing legislation and make provision for changes to the immigration status categories that students must fall into in order to obtain support. Two categories are added, namely “persons granted leave to remain on the grounds of private life” and “stateless persons”.

The Regulations which are amended are:

- The Education (Student Support) (Wales) Regulations 2018
- The Education (Student Support) (Wales) Regulations 2017
- The Education (Fees and Awards) (Wales) Regulations 2017
- The Education (European University Institute) Wales Regulations 2014
- The Higher Education (Qualifying Courses, Qualifying Persons and Supplementary Provision) (Wales) Regulations 2015
- The Education (Postgraduate Master’s Degree Loans) (Wales) Regulations 2017
- The Education (Postgraduate Doctoral Degree Loans) (Wales) Regulation 2018

## Procedure

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Negative.

## Technical Scrutiny

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No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

## Merits Scrutiny

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No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

## Implications arising from exiting the European Union

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We note that the Cabinet Secretary for Education issued a Written Statement “Funding and support for EU Nationals studying in Wales” on 2 July 2018, which included the following:



“EU nationals who intend to study in Wales for the academic year 2019/20 will be eligible to pay the same tuition fees as Welsh students and will be eligible to receive loans and/or grants from Student Finance Wales (SFW) – subject to the existing eligibility criteria.

This is a continuation of the current policy and students will be eligible to receive support until they finish their course. This applies to all student finance from SFW for students in Wales for which EU nationals are eligible. This includes loans to cover tuition fees (for those resident in the EEA for three years), loans and grants for maintenance (limited to those resident in the UK for at least three years), and some other grants and allowances.

The rules applying to EU nationals who will apply for a place at university for the academic year 2018/19 to study a course which attracts student support are unchanged. SFW will assess these applications against existing eligibility criteria, and will provide loans and/or grants in the normal way. EU nationals, or their family members, who are assessed as eligible to receive grants and/ or loans by the Student Loans Company will also then be eligible for the duration of their study on that course.”

## Government Response

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No government response is required.

### **Legal Advisers**

### **Constitutional and Legislative Affairs Committee**

**11 July 2018**

